



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/082,204	02/26/2002	Yuki Yamamoto	1619.1018	5091
21171	7590	10/03/2006	EXAMINER	
STAAS & HALSEY LLP SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005			DOAN, DUYEN MY	
			ART UNIT	PAPER NUMBER
			2152	

DATE MAILED: 10/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/082,204

Applicant(s)

YAMAMOTO, YUKI

Examiner

Duyen M. Doan

Art Unit

2152

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 June 2006.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 February 2002 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 6/16/06 has been entered. Claims 1-25 are presented for examination. Claim 26 is newly added.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-6, 11, 13-19, 24,26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takakura et al (us 2002/0007396) (hereinafter Takakura) in view of Tsou et al (us 2002/0184089) (hereinafter Tsou).

As regarding claim 1, Takakura discloses managing access to area chat rooms each associated with a specific location (see Takakura pg.2-3, par 21, 37-40, 49-50; pg.4, par 56-59, 64-66; pg.6-7, par 88, 94-97, pg.8, par 115, 118); accepting an entrance request, with a current location of the terminal or a user-specified location attached, from said terminal for permission to enter one of said area chat rooms, and allowing entrance into any appropriate area chat room whose area includes said current location or specified location (see Takakura pg.2-3, par 21, 37-40, 49-50; pg.4, par 56-59, 64-66; pg.6-7, par 88, 94-97, pg.8, par 115, 118); accepting a remark request from said terminal for permission to make a remark, and delivering the remark, in form of text data, to the terminals of the other participants of said area chat room (see Takakura pg.2-3, par 21, 37-40, 49-50; pg.4, par 56-59, 64-66; pg.6-7, par 88, 94-97, pg.8, par 115, 118, Takakura discloses that it is also possible to use a character chat as well for having a dialogue in text data).

Takakura does not implicitly disclose the remark with current location of the terminal attached; accepting location update information from said terminal and delivering said location update information to the terminals of the other participants of said area chat room.

Tsou teaches the remark with current location of the terminal attached (see pg.2, par 0013, 0018; pg.4, par 0042-0044; pg.5, par 0045-0047); accepting location update information from said terminal and delivering said location update information to the terminals of the other participants of said area chat room (see Tsou, pg.2, par 0013, 0018; pg.4, par 0042-0044; pg.5, par 0045-0047).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate the remark with current location of the terminal attached and the delivering the current location to other participants of the chat system of Tsou to the method of Takakura, because it would reduce the processing resources and the communication time.

As regarding claim 2, Takakura-Tsou discloses accepting any inquiry about the current location of another participant in the area chat room from said terminal, acquiring the current location from the terminal of said other participant if the terminal of said other participant permits sending a reply, and sending the current location of said other participant in return (see Tsou, pg.2, par 0013, 0018; pg.4, par 0042-0044; pg.5, par 0045-0047). The same motivation was utilized in claim 1 applied equally well to claim 2.

As regarding claim 3, Takakura-Tsou discloses creating an area chat room by specifying a range based on the current location of said terminal or a user-specified location if a request to create an area chat room is received from said terminal (see Takakura pg.2-3, par 21, 37-40, 49-50; pg.4, par 56-59, 64-66; pg.6-7, par 88, 94-97, pg.8, par 115, 118, generating plurality of chat room, the chat room of the user is change according to the current location of user, therefore the user can always participate in the chat room corresponding to the current location of the self).

As regarding claim 4, Takakura-Tsou discloses registering and managing information about any subscriber who wants to be notified if an area chat room whose area includes the current location of the terminal or a user-specified location is created;

Art Unit: 2152

and notifying said subscriber's terminal about creation of any area chat room which agrees with the information about said subscriber. (Tsou, pg.2, par 0013, 0018; pg.4, par 0042-0044; pg.5, par 0045-0047). The same motivation was utilized in claim 1 applied equally well to claim 4.

As regarding claim 5, Takakura discloses sending a server of said system an entrance request with the current location of a terminal or a user-specified location attached, requesting for permission to enter an area chat room provided by said system and associated with a specific location (see Takakura pg.2-3, par 21, 37-40, 49-50; pg.4, par 56-59, 64-66; pg.6-7, par 88, 94-97, pg.8, par 115, 118); sending the server of said system a remark request, when the user is in said area chat room; receiving the current locations and remarks, in form of text data, of all the participants as well as map data corresponding to the range of said area chat room from said system and displaying said map data, including charted locations of the all participants, and remarks of the participants on a display screen of said terminal when the user is in said area chat room (see Takakura pg.2-3, par 21, 37-40, 49-50; pg.4, par 56-59, 64-66; pg.6-7, par 88, 94-97, pg.8, par 115, 118).

Takakura does not explicitly disclose the current location of said terminal attached and informing the server of said system about the current location of said terminal at designated intervals or on designated occasions.

Tsou teaches the remark with the current location of said terminal attached and informing the server of said system about the current location of said terminal at

Art Unit: 2152

designated intervals or on designated occasions (Tsou, pg.2, par 0013, 0018; pg.4, par 0042-0044; pg.5, par 0045-0047).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate the remark with current location of the terminal attached and the delivering the current location to other participants of the chat system of Tsou to the method of Takakura, because it would reduce the processing resources and the communication time.

As regarding claim 6, Takakura-Tsou discloses entrance request contains direction whether or not the current location attached to said entrance request is to be shown to other participants (Tsou, pg.2, par 0013, 0018; pg.4, par 0042-0044; pg.5, par 0045-0047). The same motivation was utilized in claim 1 applied equally well to claim 6.

As regarding claim 11, Takakura-Tsou discloses sending said system a room creation request to create an area chat room with its range specified based on the current location of said terminal or a user-specified location (Tsou, pg.2, par 0013, 0018; pg.4, par 0042-0044; pg.5, par 0045-0047). The same motivation was utilized in claim 1 applied equally well to claim 11.

As regarding claim 13, the limitations are similar to claim 1, therefore rejected for the same rationale as claim 1.

As regarding claim 14, the limitations are similar to claim 1, therefore rejected for the same rationale as claim 1.

As regarding claim 15, the limitations are similar to claim 2, therefore rejected for the same rationale as claim 2.

As regarding claim 16, the limitations are similar to claim 3, therefore rejected for the same rationale as claim 3.

As regarding claim 17, the limitations are similar to claim 4, therefore rejected for the same rationale as claim 4.

As regarding claim 18, the limitations are similar to claim 5, therefore rejected for the same rationale as claim 5.

As regarding claim 19, the limitations are similar to claim 6, therefore rejected for the same rationale as claim 6.

As regarding claim 24, the limitations are similar to claim 11, therefore rejected for the same rationale as claim 11.

As regarding claim 26, Tsou discloses accepting an entrance request, with a current location of a terminal or a user-specified location attached, from said terminal requesting permission to enter one of said area chat rooms (see Takakura pg.2-3, par 21, 37-40, 49-50; pg.4, par 56-59, 64-66; pg.6-7, par 88, 94-97, pg.8, par 115, 118), and allowing entrance into an appropriate area chat room (see Takakura pg.2-3, par 21, 37-40, 49-50; pg.4, par 56-59, 64-66; pg.6-7, par 88, 94-97, pg.8, par 115, 118); delivering a permitted remark from said terminal, in the form of text data, to terminals of other participants of said area chat room (see Takakura pg.2-3, par 21, 37-40, 49-50; pg.4, par 56-59, 64-66; pg.6-7, par 88, 94-97, pg.8, par 115, 118).

Takakura does not implicitly disclose the remark with current location of the terminal attached; accepting location update information from said terminal and

Art Unit: 2152

delivering said location update information to the terminals of the other participants of said area chat room.

Tsou teaches the remark with current location of the terminal attached (see pg.2, par 0013, 0018; pg.4, par 0042-0044; pg.5, par 0045-0047); accepting location update information from said terminal and delivering said location update information to the terminals of the other participants of said area chat room (see Tsou, pg.2, par 0013, 0018; pg.4, par 0042-0044; pg.5, par 0045-0047).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate the remark with current location of the terminal attached and the delivering the current location to other participants of the chat system of Tsou to the method of Takakura, because it would reduce the processing resources and the communication time.

Claims 7-10, 20-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takakura and Tsou as applied to claim 5 above, further in view of Kelts (us 20020112237).

As regarding claims 7, 20 Takakura-Tsou discloses all the limitations of claim 5, but fail to disclose the charted location of the latest speaker is indicated by a shape, color, or method different from those for other speakers when charting the locations of the participants who are in said area chat room. Kelts teaches the charted location of the latest speaker is indicated by a shape, color, or method different from those for other speakers when charting the locations of the participants who are in said area chat

Art Unit: 2152

room (pg.8, paragraph 88, different colored map items may represent different types of programming genres, different programming characteristics... one or more of the following map item icon characteristics may be varied in a dynamic manner: shape, size, color, design, orientation, text label...).

It would have been obvious to one with ordinary skill in the art at the time of the invention was made to combine the teaching of Kelts with the method of Takakura-Tsou to have different participants represent in different shapes and colors for the purpose of convey useful information to the user in an easy to interpret manner (see Kelts pg.8, paragraph 88).

As regarding claims 8, 21 the limitations are similar to claim 7, therefore rejected for the same rationale as claim 7.

As regarding claims 9, 22 the limitations are similar to claim 7, therefore rejected for the same rationale as claim 7.

As regarding claims 10, 23 Takakura-Tsou-Kelts disclose after accepting a remark location search request, calculating the distance between the location at the time of said remark and the current location of the terminal and displaying it on the display of said terminal (see Takakura pg.2-3, par 21, 37-40, 49-50; pg.4, par 56-59, 64-66; pg.6-7, par 88, 94-97, pg.8, par 115, 118).

Claims 12, 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takakura and Tsou as applied to claim 5, 18 above, further in view of Hatlelid (us pat 6,772,195) (hereinafter Hatlelid).

As regarding claim 12, Takakura-Tsou discloses all the limitations of claim 5 and 11 above, but fail to disclose, room creation request contains information to limit the participants who are allowed in the area chat room created. Hatlelid teaches room creation request contains information to limit the participants who are allowed in the area chat room created (col.7, lines 1-18).

It would have been obvious to one with ordinary skill in the art at the time of the invention was made to combine the teaching of Hatlelid with the method of Takakura-Tsou to have room creation request contains information to limit the participants who are allowed in the area chat room created for the purpose of restricting other participants from participate in private chat room (see Hatlelid col.7, lines 1-18).

As regarding claim 25, the limitations are similar to claim 12, therefore rejected for the same rationale as claim 12.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Response to Arguments

Applicant's arguments with respect to claims 1-26 have been considered but are moot in view of the new ground(s) of rejection.

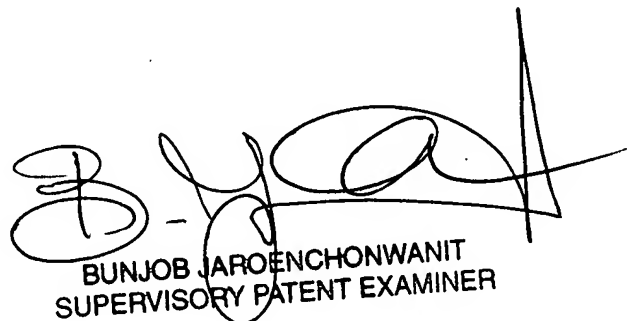
Art Unit: 2152

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Duyen M. Doan whose telephone number is (571) 272-4226. The examiner can normally be reached on 9:30am-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob A. Jaroenchonwanit can be reached on (571) 272-3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Examiner
Duyen Doan
Art unit 2152



BUNJOB JAROENCHONWANIT
SUPERVISORY PATENT EXAMINER